

EEOC FORM 131-A (11/09)

U.S. Equal Employment Opportunity Commission

COPY

UNIVERSITY OF NEW HAMPSHIRE
105 Main Street
Durham, NH 03824

PERSON FILING CHARGE

Ruwa Majid-Pokorny

THIS PERSON (check one or both)

☒ Claims To Be Aggrieved☐ Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

16D-2018-00308

FEPA CHARGE NO.

EA 0262-18

NOTICE OF CHARGE OF DISCRIMINATION IN JURISDICTION WHERE A FEP AGENCY WILL INITIALLY PROCESS

(See the enclosed for additional information)

THIS IS NOTICE THAT A CHARGE OF EMPLOYMENT DISCRIMINATION UNDER

☐ Title VII of the Civil Rights Act (Title VII) ☐ The Equal Pay Act (EPA) ☐ The Americans with Disabilities Act (ADA)☒ The Age Discrimination in Employment Act (ADEA) ☐ The Genetic Information Nondiscrimination Act (GINA)

HAS BEEN RECEIVED BY

☐ The EEOC and sent for initial processing to _____

(FEP Agency)

☒ The New Hampshire Commission for Human Rights

and sent to EEOC for dual filing purposes.

(FEP Agency)

While EEOC has jurisdiction (upon expiration of any deferral requirement if this is a Title VII, ADA or GINA charge) to investigate this charge, EEOC may suspend its investigation and await the issuance of the Agency's final findings and orders. These findings and orders will be given weight by EEOC in making its own determination as to whether reasonable cause exists to believe that discrimination has occurred.

You are therefore encouraged to cooperate fully with the Agency. All facts and evidence provided by you to the Agency will be considered by EEOC when it reviews the Agency's final findings and orders. In many cases EEOC will take no further action, thereby avoiding the necessity of an investigation by both the Agency and EEOC. This likelihood is increased by your active cooperation with the Agency.

As a party to the charge, you may request that EEOC review the final findings and orders of the above-named Agency. For such a request to be honored, you must notify EEOC in writing within 15 days of your receipt of the Agency's final decision and order. If the Agency terminates its proceedings without issuing a final finding and order, you will be contacted further by EEOC. Regardless of whether the Agency or EEOC processes the charge, the Recordkeeping and Non-Retaliation provisions of the statutes as explained in the enclosed information sheet apply.

For further correspondence on this matter, please use the charge number(s) shown above.

Enclosure(s): Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

☐ Race ☐ Color ☐ Sex ☐ Religion ☐ National Origin ☒ Age ☐ Disability ☐ Retaliation ☐ Genetic Information ☐ Other

See enclosed copy of charge of discrimination.

Date

August 8, 2018

Name / Title of Authorized Official

Kevin J. Berry,
District Director

Signature

CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

☒ FEPA

EA 0262-18

☒ EEOC 10D-2618-00308

New Hampshire Commission for Human Rights

and EEOC

Name (indicate Mr., Ms., Mrs.)

Ruwa Majid-Pokorny

Home Phone (incl. Area Code)

Date of Birth

Street Address

City, State and ZIP Code

1124 Farmington Ave, West Hartford, CT 06107

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

UNIVERSITY OF NEW HAMPSHIRE

No. Employees, Members

201- 500

Phone No. (Include Area Code)

(603) 862-1234

Street Address

City, State and ZIP Code

105 Main Street, Durham, NH 03824

Name

No. Employees, Members

Phone No. (Include Area Code)

Street Address

City, State and ZIP Code

DISCRIMINATION BASED ON (Check appropriate box(es).)

☐ RACE ☐ COLOR ☐ SEX ☐ RELIGION ☐ NATIONAL ORIGIN
☐ RETALIATION ☒ AGE ☐ DISABILITY ☐ GENETIC INFORMATION
☒ OTHER (Specify) RSA 354-A

DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

01-12-2018

01-12-2018

☐ CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

1. I am 58 years old.
2. I was hired by the University of New Hampshire (UNH) in August of 2007 to teach Arabic in the Department of Languages, Literatures and Cultures.
3. I was hired specifically for my highly specialized skills for teaching Arabic to non-native speakers.
4. During my tenure I have built, maintained, expanded and managed the Arabic program.
5. My performance was exemplary, verified by both student and administrative evaluations.
6. I hold a degree in Speech and Language Pathology, which not only qualified me for the position but proved valuable due to the difficult speech sounds of Arabic.
7. My contract with UNH has been renewed multiple times with my credentials remaining the same.
8. On January 16, 2018, I received notice, signed by Dean, Heidi Bostic, that my contract would not be renewed at the end of the semester. My last day of work would be May 18, 2018.
9. The notice cited significant deficit and strategic realignment as reasons for the "painful cuts" being made at UNH.
10. Within the department, five of my colleagues received notices of non-renewal that day as well.
11. Four of these colleagues are over the age of 40, with three over the age of 50, like me.
12. Prior to my last day of employment, Ms. Bostic, the Provost, and the Chair of the department, publically clarified my position would not be cut as initially indicated. Rather, the University intended to hire lecturers who possessed a PhD.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

7/11/2018

Date

Charging Party Signature

7/11/2018

CHARGE OF DISCRIMINATION

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Charge Presented To: Agency(ies) Charge No(s):

☒ FEPA

EA 0262-18

☒ EEOC

100-2018-00308

New Hampshire Commission for Human Rights

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

13. On June 28, 2018, I was made aware that my position had been filled by my significantly younger apprentice whom I had selected to be my assistant three years prior.
14. Additionally, the four positions formerly held by my colleagues were also filled with lecturers significantly younger, with ages ranging from 20 - 40 years old.
15. I assert I was discriminated against due to my age, by way of differing treatment and termination.
16. I have and continue to suffer damages, including but not limited to lost wages, lost earning capacity, lost employment benefits, emotional distress, humiliation, inconvenience, and loss of enjoyment of life. I seek all damages to which I am entitled.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

7/11/2018

Date

[Signature]

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

[Signature]

MELISSA ALICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE

(month, day, year)

7/11/18

NOTARY PUBLIC, STATE OF NEW HAMPSHIRE
My Commission Expires May 3, 2019